

§ 159I-3. Definitions.

(a) Unless a different meaning is required by the context, the following definitions shall apply throughout this Chapter:

- (1), (2) Repealed by Session Laws 2011-266, s. 1.26(a), effective July 1, 2011.
- (3) "Board" means the Clean Water Management Trust Fund Board of Trustees.
- (4) "Bonds" means the revenue bonds authorized to be issued by the Board under this Chapter. As used in this Chapter, the term "bonds" does not include any loan agreement.
- (5) "Costs" means the capital cost of acquiring or constructing any project, including, without limitation, the following:
 - a. The costs of doing any or all of the following deemed necessary or convenient by a unit of local government:
 1. Acquiring, constructing, erecting, providing, developing, installing, furnishing, and equipping;
 2. Reconstructing, remodeling, altering, renovating, replacing, refurnishing, and re-equipping;
 3. Enlarging, expanding, and extending; and
 4. Demolishing, relocating, improving, grading, draining, landscaping, paving, widening, and resurfacing.
 - b. The costs of all property, both real and personal and both improved and unimproved, and of plants, works, appurtenances, structures, facilities, furnishings, machinery, equipment, vehicles, easements, water rights, air rights, franchises, and licenses used or useful in connection with the purpose authorized;
 - c. The costs of demolishing or moving structures from land acquired and acquiring any lands to which such structures thereafter are to be moved;
 - d. Financing charges, including estimated interest during the acquisition or construction of such project and for six months thereafter;
 - e. The costs of services to provide and the cost of plans, specifications, studies and reports, surveys, and estimates of costs and revenues;
 - f. The costs of paying any interim financing, including principal, interest, and premium, related to the acquisition or construction of a project;
 - g. Administrative and legal expenses and administrative charges;
 - h. The costs of obtaining bond and reserve fund insurance and investment contracts, of credit-enhancement facilities, liquidity facilities and interest-rate agreements, and of establishing and maintaining debt service and other reserves; and
 - i. Any other services, costs, and expenses necessary or incidental to the purpose authorized.
- (6) "Division" means the Division of Waste Management of the Department of Environmental Quality and any successor of the Division of Waste Management.
- (7) "Loan" means moneys loaned by the Board to a unit of local government for a project authorized by this Chapter.
- (8) "Loan agreement" means any bond, note, contract, loan agreement, or other written agreement of a unit of local government delivered to the Board and evidencing the unit's receipt of loan proceeds from the sale of all or a portion of the Board's bonds or from other available money of the Board and setting

forth the terms of the unit's agreement to make payments to the Board in respect of such loan.

- (9) "Local Government Commission" means the Local Government Commission of the Department of the State Treasurer, established by Article 2 of Chapter 159 of the General Statutes and any successor of said Commission.
- (10) "Notes" means the revenue notes or revenue bond anticipation notes authorized to be issued by the Board under this Chapter. As used in this Chapter, the term "notes" does not include any loan agreement.
- (11) "Project" means any capital project authorized to be financed in G.S. 159I-8.
- (12) "Revenues" means all moneys received by the Board, other than the proceeds received by the Board from the sale of bonds or notes and moneys appropriated by the State for the Solid Waste Management Loan Fund, in connection with the providing of financing to units of local government, including without limitation:
 - a. The payments received by the Board of the principal of and premium, if any, and interest on loan agreements;
 - b. Administrative charges, but only to the extent determined by the Board; and
 - c. Investment earnings on all revenues, funds, and other moneys of the Board.
- (13) "Unit of local government" or "unit" means:
 - a. A unit of local government as defined in G.S. 159-44(4);
 - b. Any combination of units, as defined in G.S. 160A-460(2), entering into a contract or agreement with each other under G.S. 160A-461;
 - c. Any joint agency established under G.S. 160A-462; as any such section may be amended from time to time;
 - d. Any regional solid waste management authority created pursuant to G.S. 153A-421; or
 - e. A consolidated city-county as defined by G.S. 160B-2(1), including such a consolidated city-county acting with respect to an urban service district defined by a consolidated city-county.

(b) Unless a different meaning is required by the context, the definitions set out in G.S. 130A-290, as such section may be amended from time to time, shall apply throughout this Chapter. (1989, c. 756, s. 1; 1989 (Reg. Sess., 1990), c. 888, s. 2; c. 1004, ss. 20, 47.1; c. 1024, s. 48; 1995, c. 461, s. 12; 1995 (Reg. Sess., 1996), c. 743, s. 24; 1997-443, s. 11A.123; 2011-266, s. 1.26(a), (c); 2015-241, s. 14.30(u).)